Rec'd 11/02/16
KMI

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

DOCKET & FILE

ANTHONY RICHARDSON

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against-

CITY OF NEW YORK ET AL

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Complaint for Violation of Civil Rights
(Non-Prisoner Complaint)

Case No. 1:16-CV-01830-KAM-PK
(to be filled in by the Clerk's Office)

Jury Trial: ☑ Yes ☐ No
(check one)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in *forma pauperis*.

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	AnThonY Richardson
Street Address	8105 Hammels Blvd
City and County	Rockaway Beach
State and Zip Code	Far Rockaway Queens N.Y
Telephone Number	347-360-3188 11693
E-mail Address	

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	CiTY OF New YORK
Job or Title (if known)	CorrecTions (C-95)
Street Address	18 18 HAzen street
City and County	EAST ElHurst, N.Y. 11437
State and Zip Code	11437
Telephone Number	
E-mail Address (if known)	

Defendant No. 2

Name ______________________________

Job or Title (if known) ______________________________

Street Address ______________________________

City and County ______________________________

State and Zip Code ______________________________

Telephone Number ______________________________

E-mail Address (if known) ______________________________

Defendant No. 3

Name ______________________________

Job or Title (if known) ______________________________

Street Address ______________________________

City and County ______________________________

State and Zip Code ______________________________

Telephone Number ______________________________

E-mail Address (if known) ______________________________

Defendant No. 4

Name ______________________________

Job or Title (if known) ______________________________

Street Address ______________________________

City and County ______________________________

State and Zip Code ______________________________

Telephone Number ______________________________

E-mail Address (if known) ______________________________

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

- [x] State or local officials (a § 1983 claim)
- [ ] Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

8th Amend Const

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

On or about Aug/2015, I was issued a very Thin "Bob Baker mattress, that clearly states: "Not For use on solid Surface/Foundation".

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

AT Rikers Island AMKC (C-95) on or about 2015 to 2016 July.

B. What date and approximate time did the events giving rise to your claim(s) occur?

August/2015 to July 2016

C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

I was issued a [Bob baker] mattress that's not to be used on solid surface/Foundation The mattress are very Thin. These mattress Cause servere pain to both my shoulders, my back, hipbone due the mattress being so Thin and on solid Foundation. went to Sickcall I Filed a grievence to no avail.

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

As a result of the mattress being so thin it caused both my shoulders to be painfull I went to sick call was given x-rays for my shoulder, lower back and neck as those mattress are too thin that it's like sleeping on a iron bedframe.

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

court order for them to change those thin mattress and $30,000 for pain/suffering

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Oct 5, 2016

Signature of Plaintiff Richardson, A

Printed Name of Plaintiff Anthony Richardson